

REMARKS

The claims have been amended by rewriting claims 1, 3, 4, 5, 6, 11, 14, 15, 17, and 18. Claims 1-18 remain in the application. No new matter has been added.

Reconsideration of this application is respectfully requested.

Claim Rejections - 35 U.S.C. § 103:

Claims 1-5, 7, 9, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa et al. '655.

Applicants have amended claims 1, 3, 4, 5, and 17 to more clearly define the invention. The claim now recites in step (b) the gathering a communication connection statistic on the plurality of radios; and (c) reconfiguring the grouping of the plurality of radios based on the communication connection statistic gathered in step (b). Support for this amendment is found on page 2, lines 14, 15, and 22 of Applicants' specification.

The "state" of the mobile station of Ishikawa is quite different from the "connection statistic" of the radio taught by Applicants' invention. Throughout the Ishikawa reference the "state" is referred to as a function of the mobility feature of the mobile station. Column 22, lines 18-22 of Ishikawa describe, "... according to the features of the mobile stations such as distances, the moving directions, and the moving speeds..." These features of Ishikawa are not communication connection statistics as taught and claimed by Applicants' invention. Page 2, lines 22-25 of Applicants' specification describe the connection statistics as average channel usage, number of channel accesses per unit time, device priority, average on time of the devices, peak usage periods, average received signal strength to name a few. Thus, the features of Ishikawa deal with mobility features whereas, the communication statistic of applicants' invention deals with the actual connection.

Furthermore, Ishikawa teaches using various states (distances, moving directions, and moving speeds) of the mobile stations to accomplish two tasks. First, all unused channels get used and second, based on certain states certain radios are allocated priority to the channels. This is described in col. 2, lines 55-67 of Ishikawa and claimed in claim 8. Applicants' invention, on the other hand, does not allocate priorities but rather looks at connection statistics and then based on these connection statistics, regroupes radios to minimize the chances of

channel-access collisions. Thus, Ishikawa uses “states” to manage priorities whereas Applicants’ invention uses “connection statistics” to manage “groups/regroups”.

As the Examiner stated in the last Office Action, the Ishikawa reference does not disclose reconfiguring the grouping of radios. Applicants assert that it would not have been obvious to one skilled in the art to extend the teachings of Ishikawa to reconfigure the group of mobile units absent some teaching or suggestion to do so. Ishikawa’s teachings, as mentioned above, are limited to using unused channels and channel prioritization.

Accordingly, the §103(a) rejection of claims 1-5, 7, 9, and 17, as amended is believed to be overcome.

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa et al. '655 in view of Segura et al. '076.

Claim 6, as amended, now recites the connection aspect of the communication statistic.

Arguments were presented above regarding the Ishikawa reference. Claim 6 also provides further limitation to what is believed to be an allowable claim 1. Therefore, claim 6 is also in condition for allowance.

Claims 8, 10-14, 16, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa et al. '655 in view of Cook et al. '284.

Claims 8, 10-14, 16, and 18 have either been amended to include, or to depend on, claims that recite the “connection” aspect of the communication statistic. Claim 11 is an independent claim which now recites the steps of (b) gathering a communication connection statistic on the plurality of radios; (c) reconfiguring the grouping of radios based on the communication connection statistic gathered in step (b). Independent claim 11, as amended, and the arguments presented above (with respect to claim 1) are believed to overcome the rejection. Neither of the cited references, Ishikawa or Cook, taken individually or combined teach or suggest “reconfiguring the grouping of radios based on a communication connection statistic”. Claims 8, 10, 12-14, 16, and 18 are all dependent claims which provide further limitations to what are believed to be allowable independent

claims 1 or 11 and thus are also in condition for allowance. Accordingly, the rejection of claims 8, 10-14, 16, and 18 is now believed to be overcome.

Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa et al. '655 in view of Cook et al. '284 and further in view of Raith '461.

Claim 15, as amended, now recites the "connection" aspect of the communication statistic. Arguments were presented above regarding the Ishikawa reference. None of the cited references, Ishikawa, Cook, or Raith taken individually or in combination teach or suggest reconfiguring a grouping of radios based on a communication connection statistic. Claim 15 also provides further limitation to what is believed to be an allowable claim 11. Therefore, the rejection under 103(a) is believed to be overcome and claim 15 is believed to be in condition for allowance.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 50-2117.

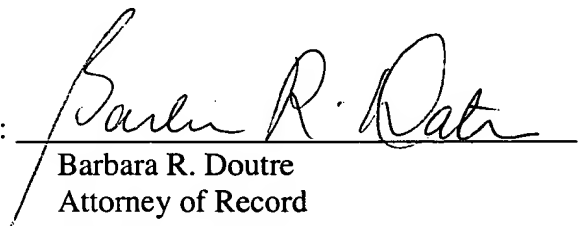
Respectfully submitted,

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: 24273

By:



Barbara R. Dautre
Attorney of Record
Reg. No.: 39,505

Telephone: 954-723-6449
Fax No.: 954-723-5599
Email: barbara.dautre@motorola.com